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and Plaintiff-Intervenor's Counsel listed on next page*

21 UNITED STATES DISTRICT COURT

22 NORTHERN DISTRICT OF CALIFORNIA

23 ROBERT RAMIREZ, et al., on behalf of  
24 themselves and all others similarly situated,

25 Plaintiffs,

26 EQUAL EMPLOYMENT  
27 OPPORTUNITY  
COMMISSION,

28 Plaintiff-Intervenor,

vs.

CINTAS CORPORATION,

Defendant.

Case No. C04-0281-JSW

STIPULATION AND [PROPOSED]  
ORDER TO CONTINUE  
SUPPLEMENTAL CASE  
MANAGEMENT CONFERENCE  
AND TO ENLARGE TIME OF CASE  
MANAGEMENT DEADLINES

Hon. Jeffrey S. White

Complaint Filed: January 20, 2004

Trial Date: None Set

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1        WHEREAS, the next supplemental case management conference is currently  
 2 scheduled for Friday, April 14, 2006;

3        WHEREAS, April 14, 2006 falls during the Jewish holy days of Passover;

4        WHEREAS, some counsel for all parties observe Passover;

5        WHEREAS, the parties conferred and agreed that Friday, April 28, 2006 is a  
 6 mutually acceptable alternative date for the next supplemental case management  
 7 conference;

8        WHEREAS, the parties believe that the next supplemental case management  
 9 conference could be accomplished via telephone with the Court;

10      WHEREAS, the parties have actively and cooperatively engaged in extensive  
 11 disclosures and written discovery, have taken numerous depositions and continue to  
 12 schedule and take depositions, have processed a pending related arbitration and have  
 13 commenced a new related arbitration;

14      WHEREAS, the parties have thus far conducted the following written discovery:

15      a.      **Plaintiffs' and EEOC's Written Discovery**

<i>Type/Set Number</i>	<i>Date Served</i>	<i>Status</i>
Plaintiffs and Plaintiff – Intervenor's 1st Request for Production of Documents	6/29/2005	Response supplemented 11/11/2005
Plaintiffs and Plaintiff – Intervenor's 2nd Request for Production of Documents	6/29/2005	Response supplemented 11/3/2005, 11/15/2005, 12/15/2005
Plaintiffs and Plaintiff – Intervenor's 3rd Request for Production of Documents	8/1/2005	Response served 11/21/2005, supplemented 12/29/2005, 2/24/2006
Robert Harris' 1st Set of Interrogatories to Cintas	8/1/2005	Response served 11/8/2005
Robert Ramirez's 1st Set of Interrogatories to Cintas	8/1/2005	Response served 11/8/2005, supplemented 1/5/2006

<i>Type/Set Number</i>	<i>Date Served</i>	<i>Status</i>
Luis Pocasangre Cardoza's 1st Set of Interrogatories to Cintas	8/1/2005	Response served 11/8/2005, supplemented 1/31/2006
Blanca Nelly Avalos' 1st Set of Interrogatories to Cintas	8/1/2005	Response served 11/8/2005, supplemented 12/29/20, 1/31/2006, 2/23/2006
Plaintiffs and Plaintiff – Intervenor's 4th Request for Production of Documents	9/29/2005	Response served 11/16/2005, supplemented 12/19/2005 with a partially produced Personic Workflow database (bates C236634); further supplemented 1/10/2006, 1/19/2006, 2/6/2006, 2/27/2006, 3/3/2006
Anthony Jones' 1st Set of Interrogatories to Cintas	10/21/2005	Response served 12/23/2005
Plaintiffs' and Plaintiff-Intervenor's 5th Request for Production of Documents	10/21/2005	Response served 12/29/2005, supplemented 1/23/2006, 2/10/2006
Plaintiff and Plaintiff-Intervenor's 6th and 7th Requests for Production of Documents	2/9/06	Response are continuing at this time

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2       **b. Cintas' Written Discovery**

<i>Type/Set Number</i>	<i>Date Served</i>	<i>Status</i>
Defendant Cintas Corporation's First Set of Specially Prepared Interrogatories to Plaintiff Robert Ramirez	7/26/2005	Response supplemented 1/5/2006
Defendant Cintas Corporation's First Request for Production of Documents to Plaintiff Anthony Jones	12/7/2005	Response served 2/10/2006
Defendant Cintas Corporation's First Set of Specially Prepared Interrogatories to Plaintiff Anthony Jones	12/7/2005	Response served 2/09/2006
Defendant Cintas Corporation's Second Request for Production of Documents to Plaintiff Blanca Nelly Avalos	12/7/2005	Response served 1/19/2006
Defendant Cintas Corporation's Second Request for Production of Documents to Plaintiff Luis Pocasangre Cardoza	12/7/2005	Response served 1/19/2006, supplemented 2/8/2006
Defendant Cintas Corporation's Second Request for Production of Documents to Plaintiff Robert Ramirez	12/7/2005	Response served 1/17/2006
Defendant Cintas Corporation's Second Set of Specially Prepared Interrogatories to Plaintiff Blanca Nelly Avalos	12/15/2005	Response served 1/19/2006
Defendant Cintas Corporation's Second Set of Specially Prepared Interrogatories to Plaintiff Luis Pocasangre Cardoza	12/15/2005	Response served 1/19/2006

Type/Set Number	Date Served	Status
Defendant Cintas Corporation's Second Set of Specially Prepared Interrogatories to Plaintiff Robert Ramirez	12/15/2005	Response served 1/17/2006
Defendant Cintas Corporation's Third Set of Specially Prepared Interrogatories to Blanca Nelly Avalos	2/7/2006	Response due 3/14/2006
Defendant Cintas Corporation's First Set of Requests for Admissions to Blanca Nelly Avalos	2/7/2006	Response due 3/14/2006
Defendant Cintas Corporation's Second Request for Production of Documents to Plaintiff Anthony Jones	2/14/2006	Response due 3/20/2006
Defendant Cintas Corporation's Second Set of Specially Prepared Interrogatories to Plaintiff Anthony Jones	2/15/2006	Response due 3/20/2006
Defendant Cintas Corporation's First Set of Interrogatories and First Request for Production of Documents Propounded to Plaintiff/Intervenor Equal Employment Opportunity Commission	2/21/06	Response due 3/27/06

WHEREAS, despite the parties' diligent discovery efforts and good faith negotiations concerning the scope of the electronic data to be produced pursuant to Plaintiff's and Plaintiff-Intervenor's Fourth Request for Production of Documents, production of the databases necessary for Plaintiffs' and EEOC's experts to prepare their reports by the April 14, 2006 deadline set forth in the June 10, 2005 Case

1 Management Order (“Case Management Order”) has been significantly delayed and the  
2 production is just now being completed;

3 WHEREAS, because of the delay in production of the necessary databases,  
4 Plaintiffs and EEOC believe that their experts will have insufficient time to complete  
5 their reports by the April 14, 2006 deadline set forth in the Case Management Order;

6 WHEREAS, Plaintiffs and EEOC jointly noticed two Rule 30(b)(6) depositions  
7 of Cintas Corporation, and began those depositions on the subjects listed in those  
8 notices with two days of testimony on October 3-4, 2005. Further testimony pursuant to  
9 those notices was taken on November 1-2 and December 13-14, 2005;

10 WHEREAS, as reported in the October 7, 2005 Supplemental Joint Case  
11 Management Statement, the parties agreed to a series of structured interviews of Cintas’  
12 representatives on the subject of Cintas’ electronic databases and records, in lieu of a  
13 Rule 30(b)(6) deposition of Cintas IT personnel or in addition to an eventual  
14 abbreviated Rule 30(b)(6) deposition on those subjects. Pursuant to that agreement, the  
15 Plaintiffs and EEOC conducted ten or more days of interviews of Cintas’ IT and records  
16 personnel, completing the initial interview process on January 11, 2006;

17 WHEREAS, although the parties believe that this structured interview process has  
18 been productive, efficient, and carried out in good faith, the parties have been unable to  
19 complete drafting the necessary stipulations and/or conducting the abbreviated Rule  
20 30(b)(6) deposition on those subjects;

21 WHEREAS, in addition to the aforementioned Rule 30(b)(6) depositions and  
22 interviews, Plaintiffs and Plaintiff-Intervenor have deposed in excess of ten of Cintas’  
23 human resources and general manager level officials at locations throughout the United  
24 States;

25 WHEREAS, Cintas has taken the depositions of Plaintiffs Robert Ramirez (two  
26 days), Luis Pocasangre Cardoza (two days), Blanca Nelly Avalos, and Anthony Jones at  
27 locations throughout the United States;

WHEREAS, despite their best efforts to schedule and complete necessary depositions, the parties together still need to take the deposition of approximately 45 additional fact witnesses, including Cintas Corporate level officials;

WHEREAS, the parties believe that the logistics of attempting to complete such depositions of witnesses located throughout the United States prior to the April 7, 2006 deadline set forth in the Case Management Order appear nearly insurmountable;

WHEREAS, the parties believe that a four month enlargement of the Case Management Order deadlines is necessary to adequately and reasonably complete the class certification process contemplated in the Case Management Order; and

WHEREAS, the parties have not previously sought an enlargement of Case Management Order deadlines.

NOW THEREFORE, pursuant to Local Rule 6-1(b) and this Court's Standing Order 3, the parties hereby agree and stipulate by and through their respective counsel of record, and request that the Court Order as follows:

1. The date for the next supplemental case Management conference, currently set for April 14, 2006, be vacated;
2. The next supplemental case management conference be placed on the Court's Friday, April 28, 2006 calendar and be conducted by telephone; and
3. The following June 10, 2005 Case Management Order deadlines be enlarged as set forth below:

<u>ACTIVITY</u>	<u>ORIGINAL DEADLINE</u>	<u>PROPOSED ENLARGED DEADLINE</u>
<b>DISCOVERY:</b>		
Last Day to Serve Written Discovery (i.e., Interrogatories; Requests for Production; Requests for Admissions; Subpoenas for Records)	March 7, 2006	May 1, 2006
Defendant to Identify Experts	April 5, 2006	May 19, 2006
Completion of Non-Expert Discovery	April 7, 2006	August 7, 2006
Plaintiffs and EEOC to Provide Expert Reports	April 14, 2006	August 14, 2006
Plaintiffs and EEOC to make Experts Available for Deposition	May 22, 2006	September 22, 2006
Defendant to Provide Expert Reports	June 27, 2006	December 1, 2006
Defendant to make Experts Available for Deposition	July 21, 2006	December 21, 2006
Plaintiffs and EEOC to serve Rebuttal Expert Reports	August 15, 2006	January 15, 2007
Defendant to serve Supplemental Expert Reports	September 15, 2006	February 15, 2007
Expert Discovery Cutoff	October 10, 2006	February 15, 2007
<b>DISPOSITIVE MOTIONS:</b>		
Dispositive Motions	May 15, 2006	September 15, 2006
Oppositions to Dispositive Motions	June 22, 2006	October 23, 2006
Replies in Support of Dispositive Motions	July 14, 2006	November 14, 2006
Hearing on Dispositive Motions (on or after)	August 18, 2006	December 15, 2006

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2                   **ACTIVITY**  
3                   **CLASS**  
4                   **CERTIFICATION**  
5                   **MOTIONS:**

6                   **ORIGINAL**  
7                   **DEADLINE**

8                   **PROPOSED**  
9                   **ENLARGED**  
10                   **DEADLINE**

11 Motion for Class 12 Certification	13 October 23, 2006	14 February 23, 2007
15 Defendant's Opposition	16 December 22, 2006	17 May 23, 2007
18 Plaintiffs' Reply	19 January 21, 2007	20 June 20, 2007
21 Hearing on Class 22 Certification	23 February 21, 2007	24 July 27, 2007

25                   **IT IS SO STIPULATED:**

26                   Dated: March 9, 2006

27                   Respectfully submitted,

28                   **GOLDSTEIN, DEMCHAK, BALLER,  
BORGGEN & DARDARIAN**

29                   /s/

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1 March 9, 2006

/s/

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11 COMMISSION

12 March 9, 2006

PAUL, HASTINGS, JANOFSKY & WALKER LLP

13 /s/

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22 Attorneys for Defendant CINTAS CORPORATION

## ORDER

The Court, having reviewed the papers, pleadings, and the stipulation herein, finds that good cause exists and hereby Orders as follows:

1. The date for the next supplemental case management conference, currently set for April 14, 2006, be vacated;
2. The next supplemental case management conference be placed on the Court's Friday, April 28, 2006 calendar and be conducted by telephone;
3. The following June 10, 2005 Case Management Order deadlines be enlarged as set forth below:

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Defendant to make Experts Available for Deposition	July 21, 2006	December 21, 2006
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<u>ACTIVITY</u>	<u>ORIGINAL DEADLINE</u>	<u>PROPOSED ENLARGED DEADLINE</u>
Defendant to serve Supplemental Expert Reports	September 15, 2006	February 15, 2007
Expert Discovery Cutoff	October 10, 2006	February 15, 2007
<b>DISPOSITIVE MOTIONS:</b>		
Dispositive Motions	May 15, 2006	September 15, 2006
Oppositions to Dispositive Motions	June 22, 2006	October 23, 2006
Replies in Support of Dispositive Motions	July 14, 2006	November 14, 2006
Hearing on Dispositive Motions (on or after)	August 18, 2006	December 15, 2006
<b>CLASS CERTIFICATION MOTIONS:</b>		
Motion for Class Certification	October 23, 2006	February 23, 2007
Defendant's Opposition	December 22, 2006	May 23, 2007
Plaintiffs' Reply	January 21, 2007	June 20, 2007
Hearing on Class Certification	February 21, 2007	<u>July 27, 2007</u> August 3, 2007

23                   IT IS SO ORDERED:

24                   DATED: March 9, 2006

25                   \_\_\_\_\_  
26                   THE HONORABLE JEFFREY S. WHITE  
27                   U.S. DISTRICT COURT JUDGE

28                   LEGAL\_US\_W # 53328460.2